

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) 2:98-cr-00171-GEB
)
Plaintiff,)
) ORDER
v.)
)
DANIEL GREGORY ROSEN, HELMI ZAKY)
MANSOUR and AYMAN MANSOUR,)
)
Defendants.)
_____)

The sentences of Defendants Daniel Gregory Rosen, Ayman Mansour, and Helmi Mansour were "remanded for further proceedings in light of *United States v. Booker*, 125 S. Ct. 738 (2005), and *United States v. Ameline*, [409 F.3d 1073 (9th Cir. 2005) (en banc)]."

The initial remand question the district court is required to answer is whether the sentence previously imposed for each defendant "would have been materially different had the district court known that the Guidelines were advisory. . . ." *Ameline*, 409 F.3d at 1084. "[T]he 'views of counsel, at least in writing,' should be obtained" before this question is answered. *Id.* at 1085 (quoting *United States v. Crosby*, 397 F.3d 103, 120 (2d Cir. 2005)).

1 Accordingly, each party's counsel is requested to file a brief that
2 provides an answer for this question no later than September 19, 2005.

3 IT IS SO ORDERED.

4 Dated: August 19, 2005

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6 /s/ Garland E. Burrell, Jr.
7 GARLAND E. BURRELL, JR.
8 United States District Judge
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